

DAVID M. DUDLEY, ESQ. No.118629  
1800 Century Park East  
Sixth Floor  
Los Angeles, California 90067  
Tel.: (310) 772-8400  
Fax: (310) 772-8404

Attorney for Defendant Butler

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

|                           |   |                       |
|---------------------------|---|-----------------------|
| UNITED STATES OF AMERICA, | ) | Case No. CR 04-0019   |
|                           | ) |                       |
|                           | ) | STIPULATION AND ORDER |
| Plaintiff,                | ) |                       |
|                           | ) |                       |
| vs.                       | ) |                       |
|                           | ) |                       |
|                           | ) |                       |
| RODNEY BUTLER,            | ) |                       |
|                           | ) |                       |
|                           | ) |                       |
| Defendant.                | ) |                       |
| _____                     | ) |                       |

IT IS HEREBY STIPULATED by and between the Plaintiff United States of America and the Defendant Rodney Butler, by and through their respective attorneys, that the evidentiary hearing in the above-entitled matter presently scheduled for November 15, 2005 at 11:00 a.m. be postponed to December 13, 2005 at 11:00 a.m.

Defense counsel is set for trial in the Northern District of Ohio in the matter of *United States v. Juan Mendoza*, case number 1:05CR126 on November 14, 2005. Although counsel believes that the case will likely be resolved prior to trial, he must still travel to Cleveland to effect a plea agreement or continue trial preparation if necessary. Consequently, he will not

have the opportunity to travel back to California to prepare for and attend the suppression hearing in the above- mentioned case prior to November 15, 2005.

Dated: November 8, 2005


s/ Mary L. Grad  
Mary L. Grad  
Attorney for Plaintiff  
United States of America

Dated: November 8, 2005

s/ David M. Dudley  
David M. Dudley  
Attorney for Defendant Butler

SO ORDERED,

Dated: November 16, 2005

  
\_\_\_\_\_  
MORRISON C. ENGLAND, JR  
UNITED STATES DISTRICT JUDGE